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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 1117/2017

VIKRAM SINGH & ORS Petitioners
Through Mr.Mohd. Anas, Adv. with
petitioners No.1 and 3 in person.

versus

STATE NCT OF DELHI & ANR. Respondents
Through Mr.R.S. Kundu, ASC for State with
SI Ranbir Singh.
Mr.Prem Priyavardhan, Adv. for R-2 with
Respondent No.2 in person.

CORAM:
HON'BLE MR. JUSTICE VINOD GOEL

ORDER
01.08.2017

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1. Respondent no. 2 appears in person with counsel and is duly identified by the IO SI Ranbir Singh.
2. The petitioners have invoked the writ jurisdiction of this court under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short 'Cr.PC') for quashing of the FIR bearing No. 25/2016, registered on 10.01.2016 with Police Station New Ashok Nagar, Delhi, under Sections 498A/406/34 IPC.
3. The marriage of the petitioner no. 1 and the respondent no. 2 was

solemnized on 28.01.2014 as per Hindu rites and ceremonies in Delhi. However, no issue out of the said wedlock was born.

4. The petitioners no. 2 and 3 are the sisters of petitioner no.1.
5. Due to some temperamental differences between the petitioner no. 1 and the respondent no.2 they could not reconcile with each other. Resultantly, the respondent no.2 left the matrimonial home in the last week of March, 2015 and started living with her parents.
6. The respondent no. 2 lodged the said FIR on 10.01.2016.
7. The petitioner No.1 instituted a petition for divorce under Section 13 of the Hindu Marriage Act, 1955 in the Court of Principal Judge, Family Court, which was assigned to the Court of Additional Principal Judge, West, Tis Hazari Courts, Delhi.
8. The parties have arrived at a settlement before the learned Counsellor attached to the Court of learned Principal Judge, West, Tis Hazari Courts, Delhi, on 17.02.2016.
9. By this settlement, the parties have decided to part company of each other and obtain a decree of divorce by mutual consent. It has also been settled that the petitioner no. 1 shall pay a total sum of Rs.2,00,000/- to the respondent no. 2 in full and final settlement of all her claims including the maintenance and return dowry articles as per list attached. The petitioner No.1 had also agreed to withdraw his petition for divorce.
10. The petitioner no.1 submits that he had withdrawn his petition for divorce filed under Section 13 of the Hindu Marriage Act, 1955.
11. Pursuant to this settlement, in first motion while recording the statement of the parties, a sum of Rs.25,000/- was paid to the

respondent no. 2 by the petitioner no. 1. Further a sum of Rs.75,000/- was paid to the respondent no. 2 by the petitioner no. 1 at the time of recording the statement of the parties in the second motion petition. On 11.01.2017, a decree of divorce by mutual consent was passed by the court of Ld. Judge, Family Court, Dwarka, New Delhi and the marriage between the petitioner no. 1 and the respondent no.2 was dissolved.

12. Today, the petitioner no. 1 has delivered a Demand Draft bearing no. 504862 dated 15.07.2017 for Rs.1 lac issued by ICICI Bank, Delhi, to the respondent no. 2, being the balance settlement amount. Copy of the same is placed on record. Respondent No.2 has accepted the same. She confirms having received the entire settlement amount of Rs.2,00,000/- from the petitioner no. 1. She further states that she had received all the dowry articles as per the list attached from the petitioner No.1.
13. The respondent no. 2 confirms that she has willingly settled the matter with the petitioners without any force or coercion and she does not want to pursue the said FIR. She submits that the FIR may be quashed.
14. Both the parties submit that now nothing is due and recoverable by them against each other. The matter has been amicably settled between the parties and no purpose would be served in further pursuing with the FIR bearing No. 25/2016, registered on 10.01.2016 with Police Station New Ashok Nagar, Delhi, under Sections 498A/406/34 IPC. Hence, to secure ends of justice, the FIR bearing No. 25/2016, registered on 10.01.2016 with Police Station New

Ashok Nagar, Delhi, under Sections 498A/406/34 IPC and proceedings arising out of the same are hereby quashed.

15. The petition is disposed of.

VINOD GOEL, J.

AUGUST 01, 2017/jitender